

ADRMOP,CONSENT

**U.S. District Court  
California Northern District (San Francisco)  
CIVIL DOCKET FOR CASE #: 3:18-cv-04105-LB**

American Civil Liberties Union of Northern California v. U.S.  
Department of Homeland Security, Immigration and Customs  
Enforcement

Assigned to: Magistrate Judge Laurel Beeler  
Cause: 05:552 Freedom of Information Act

Date Filed: 07/10/2018  
Jury Demand: None  
Nature of Suit: 895 Freedom of  
Information Act  
Jurisdiction: U.S. Government Defendant

**Plaintiff**

**American Civil Liberties Union of  
Northern California**

represented by **Andrea L. Scripa**  
Goodwin Procter LLP  
620 Eighth Avenue  
New York, NY 10018  
617-570-1000  
Email: [AScripa@goodwinlaw.com](mailto:AScripa@goodwinlaw.com)  
**ATTORNEY TO BE NOTICED**

**Andrew Shichen Ong**  
Goodwin Procter LLP  
601 Marshall Street  
Redwood City, CA 94063  
650-752-3100  
Email: [aong@goodwinlaw.com](mailto:aong@goodwinlaw.com)  
**ATTORNEY TO BE NOTICED**

**Hayes Phillips Hyde**  
Goodwin Procter LLP  
Three Embarcadero Center  
San Francisco, CA 94111  
415-733-6000  
Fax: 415-677-9041  
Email: [hhyde@goodwinlaw.com](mailto:hhyde@goodwinlaw.com)  
**ATTORNEY TO BE NOTICED**

**Hong-An Vu**  
Goodwin Procter LLP  
601 S. Figueroa St  
41St Floor  
Los Angeles, CA 90017  
213.426.2500  
Fax: 213.623.1673  
Email: [hvu@goodwinlaw.com](mailto:hvu@goodwinlaw.com)  
**ATTORNEY TO BE NOTICED**

**Ian Chen**  
Goodwin Procter LLP  
601 Marshall Street  
Redwood City, CA 94063  
650-752-3100  
Email: [IanChen@goodwinlaw.com](mailto:IanChen@goodwinlaw.com)  
**ATTORNEY TO BE NOTICED**

**Jamie Lorraine Crook**  
ACLU of Northern California  
ACLU of Northern California  
39 Drumm Street  
San Francisco  
San Francisco, CA 94111  
United Sta  
4156212493

Email: [jcrook@aclunc.org](mailto:jcrook@aclunc.org)  
**ATTORNEY TO BE NOTICED**

**Julia Harumi Mass**  
American Civil Liberties Union of  
Northern California, Inc.  
39 Drumm Street  
San Francisco, CA 94111  
415-621-2493  
Fax: 415-255-8437  
Email: [jmass@aclunc.org](mailto:jmass@aclunc.org)  
**ATTORNEY TO BE NOTICED**

**Vasudha Talla**  
ACLU Foundation of Northern California,  
Inc.  
39 Drumm Street  
San Francisco, CA 94111  
(415) 621-2493  
Fax: (415) 255-8437  
Email: [vtalla@aclunc.org](mailto:vtalla@aclunc.org)  
**ATTORNEY TO BE NOTICED**

**Indra Neel Chatterjee**  
Goodwin Procter LLP  
601 Marshall Street  
Redwood City, CA 94063  
(650) 752-3100  
Fax: (650) 853-1038  
Email: [NChatterjee@goodwinlaw.com](mailto:NChatterjee@goodwinlaw.com)  
**ATTORNEY TO BE NOTICED**

V.

**Defendant**

**U.S. Department of Homeland  
Security, Immigration and Customs  
Enforcement**

represented by **Gioconda R. Molinari**  
U.S. Attorney's Office, Civil Division  
450 Golden Gate Avenue, 9th Floor  
Box 36055  
San Francisco, CA 94102-3495  
(415) 436-7220  
Fax: (415) 436-6748  
Email: [Gioconda.Molinari@usdoj.gov](mailto:Gioconda.Molinari@usdoj.gov)  
**ATTORNEY TO BE NOTICED**

Date Filed	#	Docket Text
07/10/2018	<u>1</u>	COMPLAINT for Declaratory and Injunctive Relief Under the Freedom of Information Act against U.S. Department of Homeland Security, Immigration and Customs Enforcement ( Filing fee \$ 400, receipt number 0971-12497861.). Filed by American Civil Liberties Union of Northern California. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4, # <u>5</u> Civil Cover Sheet)(Chatterjee, Indra) (Filed on 7/10/2018) Modified on 7/10/2018 (fabS, COURT STAFF). (Entered: 07/10/2018)
07/10/2018	<u>2</u>	Proposed Summons. (Chatterjee, Indra) (Filed on 7/10/2018) (Entered: 07/10/2018)
07/10/2018	<u>3</u>	NOTICE of Appearance by Andrew Shichen Ong (Ong, Andrew) (Filed on 7/10/2018) (Entered: 07/10/2018)
07/10/2018	<u>4</u>	NOTICE of Appearance by Hayes Phillips Hyde (Hyde, Hayes) (Filed on 7/10/2018) (Entered: 07/10/2018)

07/10/2018	<u>5</u>	NOTICE of Appearance by Hong-An Vu (Vu, Hong-An) (Filed on 7/10/2018) (Entered: 07/10/2018)
07/10/2018	<u>6</u>	NOTICE of Appearance by Ian Chen (Chen, Ian) (Filed on 7/10/2018) (Entered: 07/10/2018)
07/10/2018	<u>7</u>	<p>Case assigned to Magistrate Judge Laurel Beeler.</p> <p>Counsel for plaintiff or the removing party is responsible for serving the Complaint or Notice of Removal, Summons and the assigned judge's standing orders and all other new case documents upon the opposing parties. For information, visit <i>E-Filing A New Civil Case</i> at <a href="http://cand.uscourts.gov/ecf/caseopening">http://cand.uscourts.gov/ecf/caseopening</a>.</p> <p>Standing orders can be downloaded from the court's web page at <a href="http://www.cand.uscourts.gov/judges">www.cand.uscourts.gov/judges</a>. Upon receipt, the summons will be issued and returned electronically. Counsel is required to send chambers a copy of the initiating documents pursuant to L.R. 5-1(e)(7). A scheduling order will be sent by Notice of Electronic Filing (NEF) within two business days. Consent/Declination due by 7/24/2018. (srnS, COURT STAFF) (Filed on 7/10/2018) (Entered: 07/10/2018)</p>
07/10/2018	<u>8</u>	<b>Initial Case Management Scheduling Order with ADR Deadlines: Case Management Statement due by 10/4/2018. Initial Case Management Conference set for 10/11/2018 11:00 AM in San Francisco, Courtroom C, 15th Floor. (fabS, COURT STAFF) (Filed on 7/10/2018) (Entered: 07/10/2018)</b>
07/10/2018	<u>9</u>	Summons Issued as to U.S. Department of Homeland Security, Immigration and Customs Enforcement, U.S. Attorney and U.S. Attorney General (fabS, COURT STAFF) (Filed on 7/10/2018) (Entered: 07/10/2018)
07/10/2018	<u>10</u>	NOTICE of Appearance by Vasudha Talla (Talla, Vasudha) (Filed on 7/10/2018) (Entered: 07/10/2018)
07/10/2018	<u>11</u>	NOTICE of Appearance by Julia Harumi Mass (Mass, Julia) (Filed on 7/10/2018) (Entered: 07/10/2018)
07/11/2018	<u>12</u>	MOTION for leave to appear in Pro Hac Vice ( Filing fee \$ 310, receipt number 0971-12502511.) filed by American Civil Liberties Union of Northern California. (Els, Andrea) (Filed on 7/11/2018) (Entered: 07/11/2018)
07/11/2018	<u>13</u>	<b>Order by Magistrate Judge Laurel Beeler granting <u>12</u> Motion for Pro Hac Vice. Attorney Andrea S. Els representing Plaintiffs. (ejkS, COURT STAFF) (Filed on 7/11/2018) (Entered: 07/12/2018)</b>
07/16/2018	<u>14</u>	CERTIFICATE OF SERVICE by American Civil Liberties Union of Northern California re <u>3</u> Notice of Appearance, <u>1</u> Complaint, <u>2</u> Summons Issued as to USA, <u>6</u> Notice of Appearance, <u>4</u> Notice of Appearance, <u>5</u> Notice of Appearance (Chatterjee, Indra) (Filed on 7/16/2018) (Entered: 07/16/2018)
07/17/2018	<u>15</u>	NOTICE of Appearance by Gioconda R. Molinari (Molinari, Gioconda) (Filed on 7/17/2018) (Entered: 07/17/2018)
07/20/2018	<u>16</u>	CONSENT/DECLINATION to Proceed Before a US Magistrate Judge by U.S. Department of Homeland Security, Immigration and Customs Enforcement.. (Molinari, Gioconda) (Filed on 7/20/2018) (Entered: 07/20/2018)
07/20/2018	<u>17</u>	CONSENT/DECLINATION to Proceed Before a US Magistrate Judge by American Civil Liberties Union of Northern California.. (Chatterjee, Indra) (Filed on 7/20/2018) (Entered: 07/20/2018)
07/26/2018	<u>18</u>	STIPULATION to Respond to Complaint filed by U.S. Department of Homeland Security, Immigration and Customs Enforcement. (Molinari, Gioconda) (Filed on 7/26/2018) (Entered: 07/26/2018)
09/06/2018	<u>19</u>	ANSWER to Complaint by U.S. Department of Homeland Security, Immigration and Customs Enforcement. (Molinari, Gioconda) (Filed on 9/6/2018) (Entered: 09/06/2018)
09/21/2018	<u>20</u>	ADR Certification (ADR L.R. 3-5 b) of discussion of ADR options (Molinari, Gioconda) (Filed on 9/21/2018) (Entered: 09/21/2018)

09/21/2018	<u>21</u>	ADR Certification (ADR L.R. 3–5 b) of discussion of ADR options ( <i>By Parties And Counsel</i> ) (Chatterjee, Indra) (Filed on 9/21/2018) (Entered: 09/21/2018)
09/26/2018	<u>22</u>	Certificate of Interested Entities by American Civil Liberties Union of Northern California (Ong, Andrew) (Filed on 9/26/2018) (Entered: 09/26/2018)
09/29/2018		<p>Set/Reset Hearing Initial Case Management Conference set for 11/1/2018 11:00 AM in San Francisco, Courtroom B, 15th Floor.</p> <p>The court has a scheduling conflict with the initial CMC on 10/11/2018 and resets it to 11/1/2018 at 11:00 a.m.</p> <p>(Beeler, Laurel) (Filed on 9/29/2018) (Entered: 09/29/2018)</p>
10/25/2018	<u>23</u>	NOTICE of Appearance by Jamie Lorraine Crook (Crook, Jamie) (Filed on 10/25/2018) (Entered: 10/25/2018)
10/25/2018	<u>24</u>	CASE MANAGEMENT STATEMENT ( <i>Joint</i> ) filed by American Civil Liberties Union of Northern California. (Ong, Andrew) (Filed on 10/25/2018) (Entered: 10/25/2018)
11/01/2018	<u>25</u>	<p><b>Minute Entry for proceedings held before Magistrate Judge Laurel Beeler: Initial Case Management Conference held on 11/1/2018. Parties are to confer within two weeks and to include agency counsel in the conference to identify an approach to document production.</b></p> <p>Further Case Management Conference set for 1/17/2019 at 11:00 AM in San Francisco, Courtroom B, 15th Floor. Case Management Statement due by 1/10/2019.</p> <p>Total Time in Court: 22 minutes. Not Reported.</p> <p>Plaintiff's Attorneys: Vasudha Talla and Indra Chatterjee. Defendant's Attorney: Gioconda Molinari.</p> <p><i>(This is a text-only entry generated by the court. There is no document associated with this entry.)</i> (ejkS, COURT STAFF) (Date Filed: 11/1/2018) (Entered: 11/02/2018)</p>
01/02/2019	<u>26</u>	STIPULATION WITH PROPOSED ORDER TO CONTINUE CASE MANAGEMENT CONFERENCE AND DEADLINE FOR CASE MANAGEMENT STATEMENT filed by U.S. Department of Homeland Security, Immigration and Customs Enforcement. (Molinari, Gioconda) (Filed on 1/2/2019) (Entered: 01/02/2019)
01/03/2019	<u>27</u>	<p><b>Order by Magistrate Judge Laurel Beeler granting in part <u>26</u> Stipulation To Continue Case Management Conference and Deadline for Case Management Statement.</b></p> <p>Further Case Management Conference previously set for 1/17/2019 is reset to 2/14/2019 at 11:00 AM in San Francisco, Courtroom B, 15th Floor. Case Management Statement due by 2/7/2019. (ejkS, COURT STAFF) (Filed on 1/3/2019) (Entered: 01/03/2019)</p>
02/06/2019	<u>28</u>	CLERK'S NOTICE RESETTING CASE MANAGEMENT CONFERENCE TIME: The court advances the start time of the CMC set for 2/14/2019 from 11:00 to <b>9:30 AM</b> in San Francisco, Courtroom B, 15th Floor. <i>(This is a text-only entry generated by the court. There is no document associated with this entry.)</i> (ejkS, COURT STAFF) (Filed on 2/6/2019) (Entered: 02/06/2019)
02/07/2019	<u>29</u>	CASE MANAGEMENT STATEMENT ( <i>Joint</i> ) filed by American Civil Liberties Union of Northern California. (Attachments: # <u>1</u> Attachment A)(Ong, Andrew) (Filed on 2/7/2019) (Entered: 02/07/2019)
02/14/2019	<u>30</u>	<p><b>Minute Entry for proceedings held before Magistrate Judge Laurel Beeler: Further Case Management Conference held on 2/14/2019. The court asks agency counsel to file some representation in the form of a letter of the agency burden by 2/28/2019.</b></p>

		<p>Further Case Management Conference Call set for 3/8/2019 at 10:00 AM in San Francisco, Courtroom B, 15th Floor. The court will circulate a call-in number separately.</p> <p>Total Time in Court: 9 minutes. Not Reported.</p> <p>Plaintiff's Attorneys: Andrew Ong, Vasudha Talla and Jamie Crook. Defendant's Attorney: Gioconda Molinari.</p> <p><i>(This is a text-only entry generated by the court. There is no document associated with this entry.)</i> (ejkS, COURT STAFF) (Date Filed: 2/14/2019) (Entered: 02/15/2019)</p>
02/28/2019	<u>31</u>	RESPONSE re <u>29</u> Case Management Statement, 30 Case Management Conference – Further,,, Set Deadlines/Hearings,,, <i>Defendant's Declaration Regarding Burden</i> by U.S. Department of Homeland Security, Immigration and Customs Enforcement. (Attachments: # <u>1</u> Declaration of ICE Deputy FOIA Officer Toni Fuentes)(Molinari, Gioconda) (Filed on 2/28/2019) (Entered: 02/28/2019)
03/01/2019	<u>32</u>	CASE MANAGEMENT STATEMENT ( <i>Joint</i> ) filed by American Civil Liberties Union of Northern California. (Attachments: # <u>1</u> Plaintiff's Attachment A)(Ong, Andrew) (Filed on 3/1/2019) (Entered: 03/01/2019)
03/07/2019	<u>33</u>	CLERK'S NOTICE RESETTING CASE MANAGEMENT CONFERENCE CALL: Further Case Management Conference set for 3/8/2019 at 10:00 AM is reset to <b>11:00 AM</b> . The call-in information remains the same. <i>(This is a text-only entry generated by the court. There is no document associated with this entry.)</i> (ejkS, COURT STAFF) (Filed on 3/7/2019) (Entered: 03/07/2019)
03/08/2019	<u>34</u>	<p><b>Minute Entry for proceedings held before Magistrate Judge Laurel Beeler:</b> Further Case Management Conference held on 3/8/2019. The court held a case-management conference. The plaintiffs will give the defendants a narrowed version of their FOIA request (as specific as possible) within a week. The government will confer with the client and within a week of receipt, will update the plaintiffs about any proposed narrowing and the time period for collection of the records. After the time period for collection of the records has lapsed, the government will update the plaintiffs about the volume of records collected and propose a time period for producing that information. If the request is sufficiently narrow, this may allow production to the plaintiffs by May. Thereafter, the parties will confer about a timeline for further narrowed requests or the production of a Vaughn index (and will discuss whether the agency might produce a rolling Vaughn index based on the plaintiffs' prioritization of certain productions). As a calendaring device, the court sets a further case-management conference for June 20, 2019 at 11:00 a.m. and directs the parties to file an updated case-management statement by June 13, 2019. The parties may adjust this case-management conference by stipulation (and may request an earlier conference if it would be helpful). <i>(Not Reported)</i>.</p> <p>Further Case Management Conference set for 6/20/2019 at 11:00 AM in San Francisco, Courtroom B, 15th Floor. Case Management Statement due by 6/13/2019.</p> <p>Plaintiff's Attorneys: Vasudha Talla, Jaime Crook (Phone) and Andrew Ong (Phone). Defendant's Attorney: Gioconda Molinari. Also appearing by phone: Kristin Brudy-Everett and Kishore Khan.</p> <p><i>(This is a text-only entry generated by the court. There is no document associated with this entry.)</i> (ejkS, COURT STAFF) (Date Filed: 3/8/2019) (Entered: 03/08/2019)</p>
06/13/2019	<u>35</u>	JOINT CASE MANAGEMENT STATEMENT filed by American Civil Liberties Union of Northern California. (Attachments: # <u>1</u> Plaintiff's Attachment A)(Ong, Andrew) (Filed on 6/13/2019) (Entered: 06/13/2019)
06/20/2019	<u>36</u>	<p><b>Minute Entry for proceedings held before Magistrate Judge Laurel Beeler:</b> Further Case Management Conference held on 6/20/2019.</p> <p>Further Case Management Conference set for 9/26/2019 at 11:00 AM in San Francisco, Courtroom B, 15th Floor. Case Management Statement due by 9/19/2019.</p>

	Total Time in Court: 13 minutes. Not Reported.
--	---

Plaintiff's Attorneys: Andrew Ong and Jaime Crook.  
Defendant's Attorney: Gioconda Molinari.

*(This is a text-only entry generated by the court. There is no document associated with this entry.)* (ejkS, COURT STAFF) (Date Filed: 6/20/2019) (Entered: 06/25/2019)